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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
08 AT SEATTLE

09 UNITED STATES OF AMERICA, )  
10 )  
11 Plaintiff, ) Case No. MJ09-25  
12 )  
13 v. )  
14 )  
15 AVEL MEDINA, ) DETENTION ORDER  
16 )  
17 Defendant. )  
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27 Offense charged:

28 Count 1: Possession of Methamphetamine with Intent to Distribute, in  
29 violation of 21 U.S.C. §§ 841(a)(1) and 841 (b)(1)(C)

30 Date of Detention Hearing: February 17, 2009

31 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
32 based upon the factual findings and statement of reasons for detention hereafter set forth,  
33 finds:  
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35 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 36 (1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that  
37 defendant is a flight risk and a danger to the community based on the nature of  
38 the pending charges. Application of the presumption is appropriate in this  
39 case.  
40 (2) Defendant has a lengthy criminal history.

- 01 (3) Defendant has a history of failures to appear.
- 02 (4) Defendant has on-going substance abuse problems.
- 03 (5) Defendant was on supervision when the incident leading to the current charges
- 04 occurred.
- 05 (6) Defendant is unemployed and has no stable residence.
- 06 (7) There are no conditions or combination of conditions other than detention that
- 07 will reasonably ensure the safety of the community.

08 IT IS THEREFORE ORDERED:

09 (1) Defendant shall be detained pending trial and committed to the custody of the

10 Attorney General for confinement in a correctional facility separate, to the extent practicable,

11 from persons awaiting or serving sentences or being held in custody pending appeal;

12 (2) Defendant shall be afforded reasonable opportunity for private consultation

13 with counsel;

14 (3) On order of a court of the United States or on request of an attorney for the

15 government, the person in charge of the corrections facility in which defendant is confined

16 shall deliver the defendant to a United States Marshal for the purpose of an appearance in


17 connection with a court proceeding; and

18 (4) The Clerk shall direct copies of this Order to counsel for the United States, to

19 counsel for the defendant, to the United States Marshal, and to the United States Pretrial

20 Services Officer.

21 DATED this 17th day of February, 2009.

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23 JAMES P. DONOHUE

24 United States Magistrate Judge

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